



Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
D'Amato et al.) Group Art Unit: 1621
)
Serial No. **10/077,142**) Examiner: Barbara P. Badio
)
Filed: **February 15, 2002**)
)
For: **ESTROGENIC COMPOUNDS AS**)
ANTI-MITOTIC AGENTS)

TERMINAL DISCLAIMER IN APPLICATION

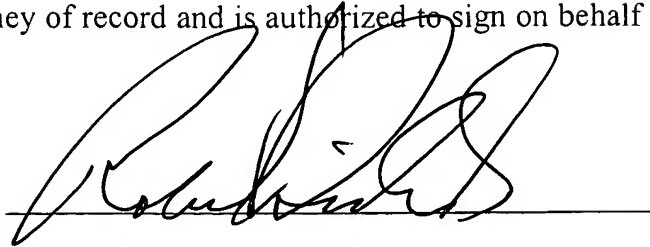
The owner, EntreMed, Inc., of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 5,504,074 and 5,661,143 (the prior patents). The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that said patent and the prior patents are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, and its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that the prior patents later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The fee required by 37 CFR § 1.20(d) accompanies this disclaimer.

The undersigned is an attorney of record and is authorized to sign on behalf of
the owner.

Date: 9-22-04

A handwritten signature in black ink, appearing to read "Robert E. Richards", is written over a horizontal line.

Name: Robert E. Richards

Reg. No: 29,105

Our Docket: 05213-3000 (43170-269288)